



CC DOCKET NO. 02-6

FCC, Office of the Secretary
445 12th Street SW
Washington, DC 20554

DOCKET FILE COPY ORIGINAL

April 20, 2018

Received & Inspected

APR 27 2018

FCC Mailroom

Subject: Appeal Against SLD Denial Decision

Dear Sir / Madam

In response to USAC denial of our appeal (Dated February 23, 2018, attached) against the improper disbursement funds recovery letter for the funding year 2009: July 1, 2009 to June 30, 2010 we are submitting this appeal to your office.

We carefully reviewed all three FRN (1902674, 1902433 & 1898266) which were subject of your audit we did not see any evidence of Item 10 SPAC form violation. All services associated to these three FRN were eligible service as per USAC eligible-service-list of 2009-10 funding years.

Details of those are provided below:

A.

FRN: 1902674

Contract Number: 23512-BM-09

Service Ordered: Internal Connection Maintenance

Billing Account number: 4103969146

Funding Commitment: \$7290.00

Funds Disbursed to Date: 7,290.00

Service details and Its eligibility:

Under this FRN as per our Item 21 attachment submitted to SDL we provided Internal connection maintenance for voice network that included basic maintenance of the school telephone which was purchased by previous vendor under e-rate and as eligible item. Our service for this particular FRN was only limited to the basic maintenance of the Nortel PBX system and associated network.

As per USAC eligible services list of 2009 under **Telephone Components** "*Centralized components that are an essential element in the transport of telephone services within a school or library are eligible.*"

As per 2009 ESL we did not violate the SLD guideline and this service was eligible for funding.

B.

FRN: 1902433

Contract Number: 23512-BM-09

Service Ordered: Internal Connection Maintenance

Billing Account number: 4103969146

Funding Commitment: \$11,785.50

Funds Disbursed to Date: \$11,785.50

Service details and Its eligibility:

Under this FRN as per our Item 21 attachment submitted to SDL we provided Internal connection maintenance for existing video distribution network equipment that included one-year warranty for V-brick Video distribution equipment as eligible item as per 2009 ESL.

As per 2009 eligible services list under **Video Components** "*Centralized video components necessary to transport information all the way to individual classrooms or public areas of a library are eligible. This includes:*

- CODEC / video encoder
- Master Control Unit

No. of Copies rec'd



- Multipoint Control Unit
- PVBX • Video Amplifier
- Video Channel Modulator
- Enhanced Multimedia Interface"

Our service for this particular FRN was only limited to the basic maintenance of these video distribution network equipment (V-brick management control system).

As per ESL we did not violate the SLD guideline and this service was 100% eligible service in 2009.

C.

FRN: 1898266

Contract Number: 23512-BM-09

Service Ordered: Internal Connection Maintenance

Billing Account number: 4103969146

Funding Commitment: \$22,499.96

Funds Disbursed to Date: \$22,499.96

Service details and Its eligibility:

Under this FRN as per our Item 21 attachment submitted to SDL we provided basic maintenance for e-rate eligible data network. that included one-year warranty for Sonic Wall and one-year warranty of SMART net Cisco wireless routers which was purchased by previous service provider under e-rate and as eligible item. Item 21 attached

Our service for this particular FRN was only limited to the basic maintenance of the data network equipment.

As per 2009 eligible services list under **Data Distribution** "*Components used to distribute information from telecommunication or Internet access facilities all the way to individual classrooms or public areas of a library are eligible.*"

Such components may include:

- Access Point used in a LAN environment
- Hub
- Multiplexer used as part of a LAN
- Network Switches are eligible for discount when used for an eligible purpose
- Routers are eligible for a discount when used for an eligible purpose

Components such as those indicated above are typically configured into a local area network or wireless local area network.

Data protection components are used to ensure the continued operation of eligible equipment by protecting equipment and computer files from environmental or security hazards. The following components are eligible if used to provide basic and reasonable measures for data protection:

• Firewall • Proxy Server • Tape Backup when used as part of an eligible server • Virtual Private Network (VPN) Components • Tape backup cartridge units are eligible when used as part of an eligible server. A cartridge included with a tape backup may be provided as an integral component of the backup unit, if the cartridge is part of the standard product configuration and provided at no additional cost. An Uninterruptible Power Supply (UPS)/Battery Backup that protects eligible equipment is eligible as a data protection component, but no funding will be provided for UPS systems that can provide continued backup power for substantial periods in excess of that necessary for basic power protection.

The following components used for the reliable operation of a UPS are eligible:

- UPS Interface Expander • Relay I/O Module




Solution with Vision

As per ESL 2009 we did not violate the SLD guideline and this service was 100% eligible service.

During our service in the year 2009 we only serviced the above mentioned eligible services. We are not sure what is the basis of SDL's determination in the Notification of Improperly Disbursed Funds Recovery Letter date August 9, 2017.

Based on the information provided above from the 2009 ESL, we are appealing against this denial decision of USAC and requesting you to investigate this matter and save our company from this unreasonable and fact less claim.

Please let me know if your need any further evidence from our side.

Regards 
Imtiaz Mohiuddin
Accounts Manager
Neighborhood Computer Center Corporation



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

Received & Inspected

February 23, 2018

APR 27 2018

FCC Mailroom

Imtiaz Mohiuddin
Neighborhood Computer Center Corporation
18714 Wickham Road
Olney, MD 20832

Re: Applicant Name: HAMPSTEAD HILL ELEM SCHOOL
Billed Entity Number: 23512
Form 471 Application Number: 691971
Funding Request Number(s): 1898266
Your Correspondence Dated: September 15, 2017

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2009 Notification of Commitment Adjustment Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1898266
Decision on Appeal: Denied
Explanation:

- USAC has completed review of your appeal. During an audit, it was determined that funds were improperly disbursed under Funding Request Number (FRN) 1898266 in the amount of \$22,499.96 for ineligible maintenance charges. The pre-discount cost associated with the maintenance charges is \$24,999.96. At the applicants 90 percent discount rate, this resulted in an improper disbursement of \$22,499.96. The Applicant and Service Provider did not provide documentation to substantiate that the maintenance performed was eligible for E-Rate payment. FCC rules provide that funding may be approved only for eligible products and/or services. On the SPAC Form, the authorized person certifies at Item 10 that the service provider has billed its customer for services deemed eligible for support. In your appeal, you did not demonstrate that USAC's decision was incorrect. Therefore, your appeal is denied.

- FCC rules provide that funding may be approved only for eligible products and services. *See* 47 C.F.R. secs. 54.502, 54.503. The USAC website contains a list of eligible products and services. *See* USAC website, www.usac.org/sl, Eligible Services List. FCC rules further require that if 30% or more of the applicant's funding request includes ineligible products and/or services, then the funding request must be denied, otherwise the funding request will be reduced accordingly. *See* 47 C.F.R. sec. 54.504(d). The FCC's Aiken County Public Schools Order directed USAC to permit the applicant 15 calendar days from the date of receipt of notice in writing by USAC to revise its funding request to remove the ineligible services or allow the applicant to provide additional documentation to show why the services are eligible. *See* Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools Aiken, SC, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-397612, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8735, FCC 07-61 para. 11 (May 8, 2007).

Since your appeal was denied in full, dismissed or cancelled, you may file an appeal with the FCC. Your appeal must be postmarked within 60 days of the date on this letter. Failure to meet this requirement will result in automatic dismissal of your appeal. You should refer to CC Docket No. 02-6 on the first page of your appeal to the FCC. If you are submitting your appeal via United States Postal Service, send to: FCC, Office of the Secretary, 445 12th Street SW, Washington, DC 20554. Further information and options for filing an appeal directly with the FCC can be found under the Reference Area/"Appeals" of the SLD section of the USAC website or by contacting the Client Service Bureau. We strongly recommend that you use the electronic filing options.

We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Matt Hornbeck



Universal Service Administrative Company
Schools & Libraries Division

Administrator's Decision on Appeal – Funding Year 2009-2010

February 23, 2018

Imtiaz Mohiuddin
Neighborhood Computer Center Corporation
18714 Wickham Road
Olney, MD 20832

Re: Applicant Name: HAMPSTEAD HILL ELEM SCHOOL
Billed Entity Number: 23512
Form 471 Application Number: 693282
Funding Request Number(s): 1902433, 1902674
Your Correspondence Dated: October 08, 2017

After thorough review and investigation of all relevant facts, the Schools and Libraries Division (SLD) of the Universal Service Administrative Company (USAC) has made its decision in regard to your appeal of USAC's Funding Year 2009 Notification of Improperly Disbursed Funds Recovery Letter for the Application Number indicated above. This letter explains the basis of USAC's decision. The date of this letter begins the 60 day time period for appealing this decision. If your Letter of Appeal included more than one Application Number, please note that you will receive a separate letter for each application.

Funding Request Number(s): 1902433
Decision on Appeal: Denied
Explanation:

- USAC has completed review of your appeal. During an audit, it was determined that funds were improperly disbursed under Funding Request Number (FRN) 1902433 in the amount of \$11,785.50 for ineligible maintenance charges. The pre-discount cost associated with these ineligible items is \$13,095.00. At the applicants 90 percent discount rate, this resulted in an improper disbursement of \$11,785.50. The Applicant and Service Provider did not provide documentation to substantiate that the maintenance performed was eligible for E-Rate payment. FCC rules provide that funding may be approved only for eligible products and/or services. On the SPAC Form, the authorized person certifies at Item 10 that the service provider has billed its customer for services deemed eligible for support. In your appeal, you did not demonstrate that USAC's decision was incorrect. Therefore, your appeal is denied.

- FCC rules provide that funding may be approved only for eligible products and services. *See* 47 C.F.R. secs. 54.502, 54.503. The USAC website contains a list of eligible products and services. *See* USAC website, www.usac.org/sl, Eligible Services List. FCC rules further require that if 30% or more of the applicant's funding request includes ineligible products and/or services, then the funding request must be denied, otherwise the funding request will be reduced accordingly. *See* 47 C.F.R. sec. 54.504(d). The FCC's Aiken County Public Schools Order directed USAC to permit the applicant 15 calendar days from the date of receipt of notice in writing by USAC to revise its funding request to remove the ineligible services or allow the applicant to provide additional documentation to show why the services are eligible. *See* Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools Aiken, SC, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-397612, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8735, FCC 07-61 para. 11 (May 8, 2007).

Funding Request Number(s): 1902674
Decision on Appeal: Denied
Explanation:

- USAC has completed review of your appeal. During an audit, it was determined that funds were improperly disbursed under Funding Request Number (FRN) 1902674 in the amount of \$7,290.00 for ineligible maintenance charges. The pre-discount cost associated with these ineligible items is \$8,100.00. At the applicants 90 percent discount rate, this resulted in an improper disbursement of \$7,290.00. The Applicant and Service Provider did not provide documentation to substantiate that the maintenance performed was eligible for E-Rate payment. FCC rules provide that funding may be approved only for eligible products and/or services. On the SPAC Form, the authorized person certifies at Item 10 that the service provider has billed its customer for services deemed eligible for support. In your appeal, you did not demonstrate that USAC's decision was incorrect. Therefore, your appeal is denied.
- FCC rules provide that funding may be approved only for eligible products and services. *See* 47 C.F.R. secs. 54.502, 54.503. The USAC website contains a list of eligible products and services. *See* USAC website, www.usac.org/sl, Eligible Services List. FCC rules further require that if 30% or more of the applicant's funding request includes ineligible products and/or services, then the funding request must be denied, otherwise the funding request will be reduced accordingly. *See* 47 C.F.R. sec. 54.504(d). The FCC's Aiken County Public Schools Order directed USAC to permit the applicant 15 calendar days from the date of receipt of notice in writing by USAC to revise its funding request to remove the ineligible services or allow the applicant to provide additional documentation to show why the services are eligible. *See* Requests for Review of the Decisions of the Universal Service Administrator by Aiken County Public Schools Aiken, SC, et al., Schools and Libraries Universal Service Support Mechanism, File No. SLD-397612, et al., CC Docket No. 02-6, Order, 22 FCC Rcd 8735, FCC 07-61 para. 11 (May 8, 2007).

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We thank you for your continued support, patience and cooperation during the appeal process.

Schools and Libraries Division
Universal Service Administrative Company

cc: Matt Hornbeck

Imtiaz Mohiuddin
Neighborhood Computer Center Corporation
18714 Wickham Road
Olney, MD 20832

Billed Entity Number: 23512
Form 471 Application Number: 693282
Form 486 Application Number:

Imtiaz Mohiuddin
Neighborhood Computer Center Corporation
18714 Wickham Road
Olney, MD 20832

Billed Entity Number: 23512
Form 471 Application Number: 691971
Form 486 Application Number: